

ADMINISTRATIVE -- INTERNAL USE ONLY

. . . . The 189th meeting of the CIA RETIREMENT BOARD convened at 2:00 p.m. on Thursday, 14 September 1972, with the following present:

STATINTL

Mr. Harry B. Fisher, Chairman
[REDACTED] DDP Member
[REDACTED] DDI Alternate Member
Mr. John D. Iams, DDS&T Alternate Member
[REDACTED] Member
[REDACTED] al Adviser
[REDACTED] ical Adviser
[REDACTED] DD/Pers
[REDACTED] ecutive Secretary
[REDACTED] Recording Secretary

STATINTL

STATINTL

MR. FISHER: To go back to the case of [REDACTED]

which we had last time, she mentioned a couple of cases which she thought were similar to hers. We have to anticipate that she may be appealing, and therefore I think it's best that we document here the fact

STATINTL that two of the people she mentioned - [REDACTED] - did come into the CIARDS under the relaxed rules of June, 1969.

STATINTL [REDACTED] had 50 months of overseas duty and 10 months at IMWAVE.

STATINTL

We have this on [REDACTED] (Reading)

STATINTL

- "1. The CIA Retirement Board recommended that [REDACTED] be approved for participation in the CIA Retirement and Disability System based partially on domestic qualifying service.
2. Overseas Qualifying Service: 1 month and 14 days
3. Domestic Qualifying Service Needed: 58 months and 16 days
4. Type of Domestic Service Involved:

STATINTL

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STATINTL

[REDACTED]

This was endorsed by Col. White 20 March 1969 as follows:

"OK - but this case would not qualify after 30 June 69."

STATINTL

[REDACTED] What about the first one you mentioned? -

MR. FISHER: She had 50 months overseas and 10 months at JMWAVE.

STATINTL

[REDACTED] had more than that

overseas. She needs only another four months, doesn't she?

STATINTL

MR. FISHER: But [REDACTED] case was under the June 30, 1969 rules, where--

STATINTL

[REDACTED] has a good comparison as far as she's concerned.

MR. FISHER: But this has happened a number of times, but when they compare it to 30 June 1969 cases --

STATINTL

[REDACTED] is not thinking in terms of a particular date, she is thinking only in terms of JMWAVE service.

STATINTL

[REDACTED] Yes, and she's absolutely right.

MR. FISHER: This has happened many times, and I'm only saying that both we and the IG recognize the precedent of June 30, 1969 is not valid, that the ExDir at that time wrote a letter saying he was going to open it up--

STATINTL

[REDACTED] So these are not considered precedent cases, then. And the standards were stated in writing at that time?

MR. FISHER: Well, just liberalized.

STATINTL

[REDACTED] although she

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worked in Special Intelligence Branch in JMWAVE, her duties were certainly not --

MR. FISHER: If her case were to be considered today, she would certainly not get into the CIARDS.

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Now, obviously, [REDACTED] doesn't mention

STATINTL

the [REDACTED] who were turned down by this Board -- where [REDACTED]

STATINTL

[REDACTED] needed three to four months of domestic qualifying service and

STATINTL the Board didn't give it to her. Very similar to the case of [REDACTED] here. But that was after June 30, 1969.

STATINTL

[REDACTED] mentioned one more case, didn't she?

STATINTL

STATINTL [REDACTED]: Yes, she named [REDACTED]

STATINTL fully qualified with a TDY overseas.

STATINTL

[REDACTED]
but the only [REDACTED] that retired that I could find, had had 100 months overseas.

MR. FISHER: Well, we did try to follow up on all of those she mentioned, and, as suspected, they were the 30 June 1969 cases.

STATINTL

Well, we start off here with [REDACTED]

who has completed 15 years and meets the criteria for designation and

STATINTL would like to be designated as a participant in CIARDS.

[REDACTED] I so move.

. . . This motion was then passed . . .

MR. FISHER: And we have a sizeable group who have completed more than 5 years of Agency service and appear to meet the criteria for designation as participants in the System.

STATINTL

[REDACTED] I move they be accepted.

. . . This motion was then passed . . .

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STATINTL

[REDACTED] Harry, I have a question on these papers, in terms of the reproduction effort. We're taking Murray's word for so much now, is it still necessary that he reproduce all of these papers on those that are being designated here? This is quite a reproduction task.

STATINTL

[REDACTED] I send them to Printing Services.

MR. FISHER: And Printing Services is doing what?

STATINTL

[REDACTED] The reproduction of all these papers on people who have more than five years of Agency service.

STATINTL

MR. [REDACTED] 27 pieces of paper in this case.

MR. [REDACTED] don't need them.

MR. [REDACTED] We don't need them in a separate group.

MR. FISHER: I do look through them --

STATINTL

[REDACTED] Oh I look through them too, but I don't know that I need to. I don't ever learn anything from them.

MR. FISHER: I admit it's bureaucratic but you have the feeling the next step is - why put them on the agenda at all.

STATINTL

[REDACTED] No, I don't mean that at all.

STATINTL

Okay. I'm sorry I raised the point.

[REDACTED] Well, it could all be on one page. You could put every name and all of this data on just one page very easily -- have just columns across the page -- and save a lot of reproduction. As far as our getting the information as to CS designation, age, years of Federal service, and everything, it could all be on one page, instead of putting out 27 pages -- that's a lot of extra paper.

STATINTL

[REDACTED] We have to do the computing. It's just a matter of the printing.

STATINTL

[REDACTED] Do you use these individual papers for anything other than these Board Meetings?

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MR. FISHER: Again, I must admit that on the five year ones it's very rare that you need it.

STATINTL

[REDACTED] It's only the five year ones that we're talking about. I'd like to see all of this on the 15 year ones.

MR. FISHER: And we certainly need this on all of the other cases.

Well, maybe you have a point on the five year ones. That seems to be the bulkiest group.

STATINTL

[REDACTED] And if there is a mistake there, it's not irreparable.

[REDACTED] Well, as soon as the new Regulation comes out, that 10th anniversary review is going to knock them out anyway.

MR. FISHER: Okay, we will have the Executive Secretary certify that he has researched all of these -- and really all he is saying is that they have been here five years now and have 18 months or more of qualifying service.

MR. IAMS: Could I raise another point along that line? There is a gremlin who insists on punching holes right through the first part of the names on the bio profiles. And it's done very carefully! (Laughing)

STATINTL

[REDACTED] I don't know how they're going to avoid it, though, without changing the bio profiles.

STATINTL

MR. FISHER: Now we have one participant who has applied for voluntary retirement: [REDACTED] He has over 100 months of qualifying service, is age 53, has 26 years of Federal service and 24 years of Agency service.

STATINTL

. . . [REDACTED] request was approved by the Board . . .

MR. FISHER: Murray, do you have any additions?

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STATINTL



. . . The Board approved these three requests . . .

STATINTL

MR. FISHER: And then we have three participants who

have been recommended for involuntary retirement: [REDACTED]

STATINTL



. . . The Board approved these three requests . . .

STATINTL

MR. FISHER: After this meeting today [REDACTED]

STATINTL

[REDACTED] and myself are going to have one more review of the legislation.

I really don't expect all of you to stay current with it, but last time around we had a package to go through, and had it real confused with the funding, and that stood down. And we still have second spouse type legislation which was approved for the Civil Service and has never been cranked into ours. And the time has come again to prepare legislation to get in to the new Congress, so we are going to review again those changes that we want to bring about -- particularly the one that allows a man to marry the second time and get the annuity for his second wife - that type of thing. And the funding, which I hope is clarified -- I won't believe it until it gets through -- but again, you probably remember that this is the part that takes care of the unfunded liability and over a period of 30 years contribute the interest on that unfunded liability to at least stabilize it where it is. Civil Service has this in their legislation already, and we tried to meet, too, the Civil Service legislation and Treasury said no, that they used the wrong formula for determining their unfunded liability. And we said we would take either one. But Civil Service and Treasury didn't get together on it. My understanding is that it may now be squared away. So we

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will try again. I don't know that there is going to be anything to add to it -
do you think? John?

STATINTL

[REDACTED] No.

MR. FISHER:

We torture each time with certain things we might ask for -- like why not age 60 for the deferred annuity instead of age 62 -- and each time we tell ourselves that we are just going to agitate the Congress by saying we want this particular thing which is better than what Civil Service gets, although in all the other things we want to conform to the Civil Service, and usually we wind up saying: No, let's not push it -- let's ensure that we get the other.

STATINTL

The other new package will be a request for an increase in quota. And [REDACTED] has been working on the statistics. Not that I feel we have to apologize for missing it - because, as I like to point out, Civil Service estimated 40 thousand retirements and they would up getting 80 thousand, so they missed by a little bit, too! But the fact is that there were 90 involuntary retirements in these three years, which, obviously, we didn't contemplate when we did our initial projection -- we didn't think anybody under 50 would be retiring -- and the voluntaries were just much heavier. All of this is going to require on the order of an 1100 quota as opposed to the 800 we have. So I guess we will be going forward on that.

STATINTL

[REDACTED]: You might consider removing the quota restriction, period.

MR. FISHER:

Well, this was brought up this morning even at our own Staff meeting. And here again you're trying to guess - and this was one of the things we talked about - whether Congress would say: "Why don't you just drop it - forget it" - or they would find it easier to address themselves to increasing it. I guess I'm persuaded a bit, because I sat there one step behind Col. White when he testified before the Committee the last time, and it really went pretty easily -

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they really didn't give him a very hard time - in terms of, "You're just getting more people than you thought? Yes? Well, okay" - and they doubled it from 400 to 800. Well, I guess either way you go about it you are amending a statute, whether you're dropping the quota or changing the numbers.

STATINTL [REDACTED] To put it another way, we are merely accelerating what is going to happen in two years anyway.

MR. FISHER: I'd sure prefer dropping it. If they're always going to give us the additional amount, they might as well drop the quota.

STATINTL [REDACTED] John, could you go in with two proposals? see which one would fly?

STATINTL [REDACTED] Sure, go in with one, and the fall back position with a number.

STATINTL MR. FISHER: Okay. I thought that might be of interest. Now we have one case - [REDACTED]

This wouldn't normally bother me too much -- as a matter of fact it still doesn't, except that in the memo we gave him approving the first extension, the Director noted it was with the understanding that they would use this period of time to obtain an adequate replacement for [REDACTED]

STATINTL That was written in April of 1971, and so they have now had over 15 months to do it. And I guess the pitch here is - Well, it's going to take us another 12 to 15 months.

MR. IAMS: Couldn't they bring him back as a contract employee?

STATINTL [REDACTED] It's actually for two years from now.

MR. FISHER: They are asking for June of 1974, and, trying to relate this to the 12 to 15 months of this ongoing program - you know, I question why all the way to June of 1974.

Do you have anything to add on this, Jay?

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STATINTL

[REDACTED] I think it's just a case of a specialist -
a good one -- and he is available -- why not extend him?

STATINTL

[REDACTED] But that isn't what they say here in
their memo.

MR. FISHER: Jay, I understand what you say, except
it's Agency policy that everybody retires at age 60.

STATINTL

[REDACTED] We are saying it's an operational
reason from the standpoint of the Directorate that we keep this man as a
specialist, and we therefore ask an exception. The man himself is not
asking for an exception. The Office and the Directorate are asking for an
exception on operational grounds.

MR. FISHER: I think all I'm addressing myself to,
they said they have this training program going and it's going to take 12
to 15 months to accomplish. Now I'm not saying to chop it exactly, but
this would imply that - let's say it started in July, that you are really
asking for two years, although you only need 12 to 15 months. I don't know
what that extra time is. In this memo in mid-August they say:
"...the initial running of the program will require a period of 12 to 15
months to accomplish." So they want him for an additional year, but
really it should be an additional year beyond the time that the program
started, as opposed to an additional year from the last extension.

I'm quibbling. I don't know how the rest of you
feel about it.

STATINTL

[REDACTED] You're trying to rest the case on the
program, but the program is merely an instance of how we are using
this specialist while he is here. We hope to keep him until June of
1974 for his specialist consulting abilities as well as contributing to this
program.

STATINTL

MR. FISHER: I can only repeat what [REDACTED]

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said -- the paper doesn't say that -- the paper says: We recognize we need an on-the-job training program, and under his guidance. Is

STATINTL [REDACTED] doing this in addition to his other duties? or is he doing this full time?

STATINTL [REDACTED] The on-the-job training program is in addition to his other duties, yes.

STATINTL [REDACTED] Is he the only one that could carry out this program of training?

STATINTL [REDACTED] This specialized training? Yes. You see, the age of the specialist in economic intelligence is past -- it's gone. The economic generalist has been the planned development in OER. And there are some specialists that remain and they are highly valuable -- they are in a very limited, specialized field -- and it seems important to keep them as long as we can, because we won't have them - we won't plan to have such specialists in the future. That is where your memo to the Director just happened to get a little off the track in saying the extension would give time for obtaining a replacement, because there was never any intent to get a replacement.

STATINTL [REDACTED] You mean they didn't look for anyone after they were granted the first extension?

STATINTL [REDACTED] We didn't request an extension on the basis of getting a replacement.

MR. FISHER: But the Director's note back to you was: Let's see that you do have one - that this time period is used to obtain someone that can replace him, to eliminate his essentiality --

STATINTL [REDACTED] But the program was explained in the first memo that we aren't planning to replace such specialists. It's a program of training --

STATINTL [REDACTED] MR. FISHER: You're trying to broaden the generalists -- That is right, and that program is

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going on. So that is why I'm just saying, technically you are not going to get a replacement - that is, a metallurgist to replace this particular man, but there will be adequate economic generalists to do the kind of work here that he is doing.

MR. FISHER: This was not the 30 June 1973-- And it doesn't hurt too much to go to June 1974 in terms of ceiling and that type of thing.

I don't know. Any general discussion on it?

How do you feel about it, Jack?

MR. IAMS: Well, there are alternate ways of doing it. One would be to bring him back as a contract employee. We did that in one case. Another would be to hire the expertise, if you need it, so that you don't have to disturb "policy" - and still get the same thing done.

STATINTL

[REDACTED] Well, I don't think there is any great problem in disturbing policy. That is what I'm here to discuss - exception to policy -- and there have been a number of exceptions in the past.

MR. FISHER: Surprisingly, though, we are getting fewer and fewer. And that is the desire. Now he has already had one year. And I agree that there have been up to two-year exceptions.

MR. IAMS: I guess you didn't answer my question, though, Jay.

STATINTL

[REDACTED] Your question was?

STATINTL

MR. IAMS: Why not hire him back under a contract?

[REDACTED] We don't have the contract ceiling.

MR. FISHER: I'd like to take a break here for a minute to mention this subject -- because it's related here, too, and I'd like to get the sense of the Board anyway. This man's birth date is June 28, 1912. The request is to extend him to 30 June 1974. I'd like to think that we would exercise judgment, but the present policy is that

STATINTL

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MR. FISHER: I'm wondering if we're not ready, after a year of seeing that this really isn't a major problem, to just say: You

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it has been.

STATINTL

Deterrent or not, this Board has to approve these extensions --

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We don't want to encourage extension requests--

MR. FISHER: That's what makes this a bit of a problem.

On the other hand, if we got from anywhere a very strongly supported request for one more year for a guy who was 62, and we realized it was going to take him to his 63rd birthday, I wonder how we would feel about being sure to tell him he loses this benefit - say he retires to California,

STATINTL

retirement.

STATINTL

Ben made a good point: every extension is for good cause shown -- and the Director is getting tougher and tougher, so the deterrent value can't be very much.

MR. FISHER: If he goes far enough to approve it beyond 62, it must be for a good enough reason, and therefore he would be entitled to get it. But you can see how we got to it - our whole rationale. But we make them retire early and that makes us different than the rest of Civil Service, so why not be different on this, too.

STATINTL

But you don't have to be different individually. That is the policy and it's across the board. And you do make some exceptions on age of retirement but for good cause shown. So you don't have to take a benefit away.

MR. FISHER: I'm not looking for a vote here now,

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obviously, but I'll be talking to Bill Colby. I have a feeling if Red White was up there he would still say no - dig in -- but maybe he would be persuaded by the fact that there hasn't been a problem. I must admit we have had one case of a man who needs what? - two months?

STATINTL

[REDACTED] A little less than two.

MR. FISHER: -- a little less than two months to get 12 years of Federal service. Now that 12 years of Federal service gives him the right to FEGLI and hospitalization, and it's pretty hard to not give a man a less than two-month extension to give him that very significant benefit, but giving him that period of extension you carry him past age 62, and I just couldn't bring myself to say: Yes, we will give you the extension to get FEGLI and hospitalization, but, incidentally, you will lose your right

STATINTL

[REDACTED] -- so we have already said we will make a waiver for that two months and we will pay it to him. If I'm going to get into that, I'd rather not have the rule.

STATINTL

[REDACTED] You also have those contract employees--

MR. FISHER: But that's a whole new ballgame. I'm not sure we will give it to a contract employee. Here again, it's another item to be considered, but it says this is only for staff employees and those contract employees who convert from staff -- and that is spelled out. Now whether every contract employee that we hire [REDACTED]

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[REDACTED] I think is another story altogether. I'm not sure we should go all the way. I can think of some of these IC types who have been hired after careers in the Government - hired for three years as a contract employee, and then when they retire I don't know that we should grant them this benefit.

STATINTL

[REDACTED] How many retirees over 62 have you had in the past year or two?

STATINTL

MR. FISHER: Almost nil. I've not had the problem. It has not come up. I'm back to what [REDACTED] has been saying: Has

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this been a deterrent in any way.

STATINTL

[REDACTED] They probably didn't know about this restriction. I didn't know about it.

MR. FISHER: Well of course when people get to thinking about retirement then they do talk about it, and probably become more knowledgeable on these things.

Well, this was a bit of a digression. I don't feel I've gotten overwhelming support on this here one way or the other. In any event, I don't think it's a serious problem in this particular case. We're quibbling about a couple of days.

STATINTL

[REDACTED] case, on the surface I think my vote would be a turn down. But to come back to the letter the Board wrote in April of 1971 to the Director, you said: The CIA Retirement Board recommended that [REDACTED] be granted a one-year deferment of his retirement until 30 June 1973, with the understanding that the request could be re-examined at that time..." - this was 30 June. They asked for the two years originally, too. And it must have been the feeling of the Board at that time - okay, maybe we will give him a second extension.

STATINTL

MR. FISHER: Yes -- would he have accomplished this mission by that time --

STATINTL

[REDACTED] And he hasn't, and OEV says he won't have accomplished it by June of 1973, so it sounds like we're almost committed to continuing him for another year, or another six months, or something.

MR. FISHER: I also remain continually aware that when the vote was taken on this policy [REDACTED] said - and it's reflected in the Minutes - "I can see this for all the others but I would like to make it clear that I would expect a rather liberal two-year extension policy

STATINTL

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within the DDI" -- and that has been recorded, and nobody got terribly excited about it. Now the thought was it would be over a maybe short period of time. And actually I think that is working, because I don't think we are getting as many requests for these extensions.

But here is a rather unusual case. The contract is a solution but, as Jay says, they're getting a little tough on contract ceiling here, too. And it's a little Mickey Mouse-ish. Well, as a contract employee it's okay, but you have to go through this Mickey Mouse exercise if we don't have to.

MR. IAMS: I guess I felt he would only be spending a part of his time on this training, so you would only contract for that part of his time --

MR. FISHER: But obviously this is in addition to his regular job. Sure, if he was just coming in to conduct some seminars that would be an excellent solution.

STATINTL

[REDACTED] But no, he is a full time --

MR. FISHER: A full time specialist in this field.

STATINTL

[REDACTED] That is correct.

[REDACTED] How much time does he put on this type of training?

[REDACTED] Oh I don't know--

MR. FISHER: I have a feeling-- Because obviously

STATINTL he has written a large number of very significant reports on the [REDACTED] trade during this period, and I have a feeling you don't do this if you're spending your time in a classroom. Not only that, but the other people he is training all have full-time jobs. So it sounds like that training is a small portion of his entire effort.

STATINTL

[REDACTED] Yes. He's going to have to take certain field trips and that is going to take a few weeks at a time at various times during the year.

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MR. FISHER: Well, I think if we are going for it,

we might as well not quibble. Do I have a motion?

STATINTL

I move the extension be granted.

second.

MR. FISHER: Any nays? (No response.)

. . . This motion was then passed . . .

. . . The Board adjourned at 2:40 p.m. . . .